



**U.S. Department of Justice**

*United States Attorney  
Southern District of New York*

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The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007

September 30, 2020

BY ECF

The Honorable Denny Chin  
U.S. Court of Appeals for the Second Circuit  
Thurgood Marshall United States Courthouse  
40 Foley Square  
New York, New York 10007

**Re: *United States v. Nicholas Mitsakos*, 16 Cr. 631 (DC)**

Dear Judge Chin:

The Government writes in response to the above-captioned defendant's motion for early termination of supervised release. The defendant's motion focuses primarily on his difficulty in obtaining approval from his supervising probation officer for business travel, which is often scheduled at the last minute. Mr. Mitsakos is supervised by the Probation Department in the Central District of California ("Probation"), where he resides. The Government has been in communication with Mr. Mitsakos's probation officer, who stated that he believes Mr. Mitsakos's travel plans are legitimate, and Mr. Mitsakos provides sufficient information regarding the trips, but the plans are often scheduled too late for Probation's review process. Given Mr. Mitsakos's good performance on supervised release and the report from Probation, the Government proposes that the Court eliminate the condition of supervised release that Mr. Mitsakos must obtain Probation's approval before leaving the judicial district where he resides. (*See* Judgment, Dkt. 66, at page 4, condition #3). Counsel for the defendant informed the Government that the defendant agrees to this modification in lieu of his pending motion to terminate supervised release, and Probation has no objection to this request.

Counsel for Mr. Mitsakos also reported that Probation had not approved Mr. Mitsakos's plans to move to a certain apartment in San Francisco. Probation reported that while it does not oppose Mr. Mitsakos's moving in principle, it did not approve the particular request because the rent at the proposed apartment could not be supported by Mr. Mitsakos's finances. The

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Government and defense counsel have conferred and expect that Mr. Mitsakos can work out the details of any future request to move with Probation.

Respectfully submitted,

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Acting United States Attorney

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cc: Counsel for defendant (by ECF)